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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,838	09/05/2003	Mark E. Epstein	YOR920030404US1 (163-13)	7073
24336 7590 05/08/2008 KEUSEY, TUTUNJIAN & BIVETTO, P.C. 20 CROSSWAYS PARK NORTH SUITE 210 WOODBURY, NY 11797				
EXAMINER LENNOX, NATALIE				
ART UNIT		PAPER NUMBER		
2626				
MAIL DATE		DELIVERY MODE		
05/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/655,838

Applicant(s)

EPSTEIN ET AL.

Examiner

NATALIE LENNOX

Art Unit

2626

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 April 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because:
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-43.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Richmond Dorvil/
Supervisory Patent Examiner, Art Unit 2626

Continuation of 11, does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive. As per claims 1 and 31, applicant argues that Chelba does not disclose or suggest a universal model that includes both a lexical model and a semantic model. Further, Chelba does not disclose or suggest a parse tree including both lexical information and semantic information. As per the first argument, examiner respectfully disagrees because, as claimed, using semantic content and lexical content by employing a semantic structured language model which combines a semantic language model and a lexical language model, is taught by Chelba as is shown in Fig. 11 and described in paragraph [0088], when it is specifically described that the decoder 416 (speech recognizer) works in connection with the lexicon and structured language model 420 for generating a speech recognition result. As per the second argument, examiner respectfully disagrees because Figs. 7A and 7B provide semantic as well as lexical information such as tag [Day]. Additionally, applicant argues that the Lexicon 418 as set forth in paragraph [0088] does not appear to mean more than a dictionary of terms that can be researched. And more specifically, the lexicon in this situation is not a parse tree and appears to mean a dictionary of terms in a specific environment, e.g., law terms, calculus terms or another set or terms specific to an application. However, examiner emphasizes that, for example, as for Fig. 7B, the name "John Smith" contains lexical information in the sense that in order to tag "John Smith" with the semantic tag of [attendee] it needed to know prior that it was a name, which is information provided by the lexicon. Lexical information is also present in "Saturday" which is the lexicon's function to determine as a day of the week, and then it is semantically tagged as "Day," however it could have also been semantically tagged as part of a "Date" which would differentiate it from the lexical information. As per applicant's arguments regarding examiner's choice of words when stating that "Chelba suggests use of lexical information for the decoding process," examiner agrees that it was an incorrect choice of words, however the 102(e) rejection still stands given the reasons above. As for claims 15 and 28, applicant merely argues that there is nothing in Ratnaparkhi that would lead one skilled in the art to arrive at the present claims 1 and 18, and that cited sections 3.2, 3.21 and Fig. 9 from Ratnaparkhi do not teach or suggest the elements as set forth in the present claim 1 and present claim 18. Since there is no concrete or specific explanation as to the reasons why applicant states that Ratnaparkhi does not teach or suggest the elements of claims 15 and 28, the rejections provided in the final office action still stand.